

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JAMES A. STOLTZ

Plaintiff,

v.

ABSARAKA COOP. TEL. CO., et al

Defendant.

Civil Action No. 08-2588 (KM)

ORDER TO SHOW CAUSE

KEVIN MCNULTY, U.S.D.J.:

IT APPEARING that Plaintiff, James A. Stoltz, through his counsel Daniel G. P. Marchese, Esq. initiated this action by filing a Complaint in this Court on May 27, 2008 and an Amended Complaint was filed under seal on September 29, 2008; (ECF No. 1, 5); it further

APPEARING that the Court granted the Plaintiff's application to stay and administratively terminate this action on November 6, 2008 (ECF No. 9, 10); it further

APPEARING that the Court granted the Plaintiff's application for partial lifting of the stay on January 23, 2009; subsequently, the civil action was reopened and the Amended Complaint was unsealed on February 6, 2014 (ECF No. 8, 11, 14); it further

APPEARING that upon Plaintiff's request, the Court issued a Summons on October 3, 2014 (ECF 18, 19); it further

APPEARING that Magistrate Judge Michael A. Hammer granted Plaintiff's application for a second extension to serve the Summons and Amended Complaint by October 25, 2014 and that there will be no further extension of the deadline absent a demonstration of good cause pursuant to Fed. R. Civ. 16, which the Relator shall make by way of a detailed certification and legal bases (ECF No. 17, 20); it further

APPEARING that Plaintiff has not filed proof of service of Summons and Amended Complaint upon the Defendants and that there has been no activity by the parties on the docket since October 7, 2014;

IT IS on this 24th day of August, 2015,

ORDERED that the Plaintiff shall move this civil action or SHOW CAUSE in writing by September 24, 2015 why Plaintiff's Complaint should not be dismissed without prejudice; and it further

ORDERED that Plaintiff's failure to move this civil action or SHOW CAUSE in writing by September 24, 2015 will result in the dismissal of Plaintiff's Complaint for lack of prosecution.



KEVIN McNULTY
United States District Judge